

Application No. 10/814,974  
Amendment Dated 9/23/05  
Reply to Office Action of 6/23/05

### **REMARKS**

This Amendment is submitted in response to the Office Action mailed on June 23, 2005. Claims 1 and 19 have been amended, and claims 3 and 20 have been canceled without prejudice or disclaimer. Claims 1, 2, 4-19 and 21-32 remain pending in the present application. Applicants note and appreciate Examiner's allowance of claims 6-12, 25 and 28-32. In view of the foregoing amendments, as well as the following remarks, Applicants respectfully submit that this application is in complete condition for allowance and request reconsideration of the application in this regard.

Claims 1-5, 13-24, 26 and 27 stand rejected under 35 U.S.C. §102(b) as being anticipated by Krebs et al., U.S. Patent No. 5,340,953. While Applicants respectfully traverse these rejections, Applicants have amended each of independent claims 1 and 19 to more sharply define the claimed invention over the prior art of record and respectfully request that the rejections be withdrawn. Applicants respectfully traverse the rejection of independent claim 13, and claims depending therefrom, for the reasons set forth below.

In particular, Applicants have amended independent claim 1 to recite that the keypad is configured to simultaneously actuate a pair of the switch elements in response to selective pressure applied on the keypad by a user's foot so as to simultaneously control two independent power-driven functions of the medical apparatus upon actuation of the pair of switch elements. This subject matter was

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originally recited in dependent claim 3 and is described at Page 18, lines 9-12 of Applicants' disclosure, for example.

In contrast, the foot control of Krebs et al. is particularly designed to prevent simultaneous control of two independent power-driven functions of the dental chair as recited in independent claim 1. As described in Krebs et al., "[the fulcrum projection] inhibits simultaneous actuation of adjacent switches" (see Col. 6, lines 46-56). Accordingly, Applicants respectfully submit that Krebs et al. teaches away from the subject matter recited in independent claim 1 and the rejection should be withdrawn.

Independent claim 13 is directed to a feature of the present invention wherein a single switch element is operable, when actuated, to simultaneously control multiple power-driven functions of the medical apparatus to position a patient supported thereupon from a work position to a generally upright sitting position. This feature of the present invention is described at Page 13, line 24 through Page 14, line 14 of Applicants' disclosure. In this embodiment, a "CHAIR RETURN" switch element is provided to automatically change the configuration of the examination table from a work position to a chair position whereat a patient is supported in a generally upright sitting position so that the patient may comfortably enter or exit the examination table before or following an examination or treatment procedure.

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Applicants respectfully submit that Krebs et al. is completely silent with respect to a single switch element that is operable to move the dental chair between a work position and a generally upright sitting position as recited in independent claim 13. Accordingly, Applicants respectfully submit that the rejection of independent claim 13 is improper and should be withdrawn.

Applicants have amended independent claim 19 to recite that the keypad and switch elements define independent first and second operating stations, wherein the first operating station is configured to control first and second reversible power-driven functions of the medical apparatus and the second operating station is configured to control third and fourth reversible power-driven functions of the medical apparatus. This subject matter was originally recited in dependent claim 20 and is described at Page 17, lines 7-19 of Applicants' disclosure, for example.

Applicants respectfully submit that in the foot control of Krebs et al., the footpad (30) on the right side of the foot control does not control a pair of reversible power-driven functions of the dental chair as recited in independent claim 19. Rather, the footpad (30) on the right side of the foot control is provided for programming and selecting one of four pre-programmed chair positions. Accordingly, the footpad (30) of Krebs et al. is not configured as an independent operating station for controlling two reversible power-driven functions of the dental chair as claimed by Applicants in independent claim 19 and the rejection should be withdrawn.

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Moreover, as claims 2, 4, 5, 14-18, 21-24, 26 and 27 depend from allowable independent claims 1, 13 and 19, and further as each of these claims recites a combination of elements not taught or suggested by the prior art of record, Applicants submit that these claims are allowable as well.

### **Conclusion**

In view of the foregoing response including the amendments and remarks, this application is submitted to be in complete condition for allowance and early notice to this affect is earnestly solicited. If there is any issue that remains which may be resolved by telephone conference, the Examiner is invited to contact the undersigned in order to resolve the same and expedite the allowance of this application.

Applicants do not believe that this response requires that any fees be submitted, however, if any fees are deemed necessary, these may be charged to Deposit Account No. 23-3000.

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Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

  
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David H. Brinkman, Reg. No. 40,532

2700 Carew Tower  
441 Vine Street  
Cincinnati, Ohio 45202  
(513) 241-2324 - Voice  
(513) 421-7269 - Facsimile